

REMARKS

By this amendment, claim 34 has been amended to properly recite its dependency. Claims 1-39 remain for consideration in the application.

Objections to the Drawings

The drawings were objected to for failing to show the layers of the exciter or their orientation. Applicant has submitted replacement sheets for Figures 2, 4, 8, 8a, 8b, 9A, and 9B that more clearly show the structure of the exciters and their orientations. Figures 8a and 8b are newly added, and are presented to clarify the detail shown in original Figure 8. Figure 9A has been amended to more clearly show the structure of the exciters. No new matter has been added. The drawings have been clarified from their informal first presentation.

Figure 2 has been amended to show the cut line being to Figure 8.

Figure 4 has been changed to show arrow 104 extending to the mainframe. The arrow heads of the structure were an artifact from original drawings shown that the upper and lower exciter rings were connected to one another. The double lines now shown as element 104 are the mainframe that is used to hold the exciters 122 in place.

Figure 8 has been amended to show an angular span of an exciter as element 122' as opposed to exciters 122. Similar changes have been made to the specification. This is done for clarity, and no new matter has been added. New Figures 8a and 8b show more detail of the detail sections marked C1 and C2 in original Figure 8, and place the magnets in perspective with the exciters.

Figure 9A has been amended to more clearly show the structure of the exciters.

All of the changes are supported by the originally filed drawings, specification, and claims. No new matter has been added.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-23 and 35-39 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant traverses this rejection. It is clear from a reading of the specification, specifically at page 13, line 10 to page 14, line 10, where the current flow directions of the AC and DC configurations are clearly and unambiguously explained, and the claims, that the present claimed subject matter can create an alternating current or a direct current

depending upon its configuration. As is generally known, an alternating current is a current with flow alternating in direction. A direct current is a current that flows in one direction, although it may have magnitude pulsations or non-linearities. Simply because a current has fluctuations, sometimes referred to as ripple, does not make it an alternating current. As shown in the drawings, and as discussed in the specification, the current generated by the DC configuration is a DC voltage. That the generated DC voltage may have some variance in amplitude, or ripple, does not make it an alternating current. The current of the DC configuration all flows in one direction, and it is a DC current. An increasing and decreasing current, even if that is what the DC configuration of the present claims creates, is not an alternating current, since all the current flows in the same direction.

When the magnets of the present invention are arranged in an AC configuration, the current generated is alternating, that is, it changes flow direction. When the magnets of the present invention are arranged in a DC configuration, the current generated is direct, that is, it flows all in one direction.

Applicant submits that the claims clearly point out and distinctly claim the subject matter, and that the subject matter is unambiguous from a reading of the claims and the specification. As such, Applicant respectfully submits that the claims are allowable.

Claim Rejections Under 35 U.S.C. § 101

Claims 1-23 and 35-39 were rejected under 35 U.S.C. §101 as claiming an invention not supported by an asserted utility. Applicant traverses this rejection. The discussion of the magnet arrangement and how the magnet arrangement generates direct current (DC) in one configuration and alternating current (AC) in another configuration has been discussed above with respect to the rejections under 35 U.S.C. § 112. The same arguments apply equally well in this rejection, and are incorporated herein in their entirety, but are not repeated for purposes of brevity.

The Office Action asserts that the application describes an invention that contradicts known scientific principles. The clear operation of the invention has been described in detail in the specification, and has been further explained herein. Applicant submits that the Office Action perhaps did not fully contemplate the terminology and usage of the specification and claims. The elaboration herein makes it clear that the present claimed invention has utility.

The operability of the present invention is therefore clearly shown. In one configuration, that is with all of the magnet poles arranged in the DC configuration, all current flow is in one

direction. That is DC. That there may be a fluctuation does not change the fact that the current flows all in one direction. In another configuration, that is with the magnet poles arranged in the AC configuration, the current flows in alternating directions. That is AC.

MPEP 608.03 states in pertinent part: "If operability of a device is questioned, the applicant must establish it to the satisfaction of the examiner, but he or she may choose his or her own way of so doing." Applicant has clearly explained the operation of the invention. The operation is further explained in the specification, specifically at page 13, line 10 to page 14, line 10, where the current flow directions of the AC and DC configurations are clearly and unambiguously explained.

Claim Rejections Under 35 U.S.C. § 102

Claims 30 and 33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Adám et al. (EP 429729 A1). Applicant traverses the rejection. Adám et al. uses overlapping windings on a ferrous core to create an active electron path through the windings. In contrast, the present claims use an exciter, which is defined in the specification as a copper core with a short helical winding. In the present exciter, there is an active electron path through the core, not through the winding. The core is non-ferrous or contains a very small quantity of ferrous material. The core creates energy, not the windings as in Adám et al. As Adám et al. does not contain each and every element of the claims, Applicant respectfully submits that the claims are allowable.

Claim Rejections Under 35 U.S.C. § 103

Claims 31 and 32 were rejected under 35 U.S.C. § 103(a) as being obvious over Adám et al. in view of Nahirney (U.S. Patent No. 5,227,702). Applicant traverses this rejection. Adám et al. has been shown above to materially differ from the claims. Specifically, the exciters of the present invention are not windings around a core, with the windings carrying the current. Instead, the exciters of the present invention are non-ferrous or substantially non-ferrous cores which carry the current, and have only a short helical winding. No energy is created by the winding, in contrast to the energy created by the windings of stator coils, coils, overlapping coils, and the like, which are the only types of coils and windings found in the cited art. The Office Action likens coils to exciters, but it is clear from a reading of the specification and claims of the present invention that coils and exciters are materially different.

As such, neither Adám et al., Nahirney, or any combination thereof contains the limitations of the present claims. The claims are allowable.

Claims 24, 26, 27, and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukuda (U.S. Patent No. 6,147,415). Applicant traverses this rejection. Fukuda once again recites coils, not exciters. The arguments set forth above with respect to Adám et al. and Nahirney apply equally well to the coils of Fukuda. The claims are allowable.

Allowable Subject Matter

Claims 25, 28, and 34 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for the indication of allowance for those claims.

CONCLUSION

Applicant submits that all the claims are in condition for allowance, and respectfully requests reconsideration and withdrawal of the rejections, and the issuance of a notice of allowance. If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2203.

Respectfully submitted,

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